IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP NO.7762 of 2007

DATE OF DECISION: 22.05.2007

Mohinderjit Joshi ....Petitioner

Versus

State of Punjab and others ....Respondents.

CORAM: HON'BLE MR.JUSTICE J.S. KHEHAR
HON'BLE MR.JUSTICE L.N. MITTAL

PRESENT: Mr. P.K.Gupta, Advocate
for the petitioner.

J.S. Khehar, J. (oral)

Through the instant writ petition, the petitioner seeks to impugn the order of his transfer dated 15.5.2007 (Annexure P6) from Samana to Devigarh. During the course of hearing, we required learned counsel for the petitioner to inform us the distance between the two,namely, Samana and Devigarh. Learned counsel for the petitioner states that the distance between the two is 30 KMs.

A series of claims have been raised by the petitioner, so as to impugn the order of his transfer dated 15.5.2007. Firstly, it is contended, that the petitioner was transferred to Samana less than an year before the impugned order was passed. Secondly, it is submitted, that the petitioner is to retire on attaining the age of superannuation on 30.11.2008. Thirdly, it is submitted, that there are serious allegations of mala fide. In this behalf, learned counsel for the petitioner states, that the petitioner has

been transferred at the behest of a clerk in the office of the Devigarh Sub Division, Patiala. All the aforesaid submissions advanced by the learned counsel for the petitioner do not impress us at all. The allegations of mala fide are, on the face of it, misconceived. It is not possible for us to accept that the petitioner can be transferred at the behest of a clerk. Even otherwise, the transfer of the petitioner is only to a place which is at a distance of 30 KMs from the present place of his posting. Such a transfer cannot be considered to have been made for extraneous considerations.

Dismissed.

(J.S. Khehar)
Judge

(L.N. Mittal)
Judge

May 22, 2007.
vig